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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,426	02/04/2002	Alan J. Davie	GB 010017	7854

24737 7590 06/17/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER	
PERSINO, RAYMOND B	
ART UNIT	**PAPER NUMBER**
2682	

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/067,426	DAVIE ET AL.	
	Examiner	Art Unit	
	Raymond B. Persino	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2 & 4.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by ROTZOLL (US 5,790,946 A).

Regarding claim 1, ROTZOLL discloses a signaling system comprising a transponder including a controller for controlling the operation of the transponder, a radio transceiver coupled to the controller by way of switching means, an electric current source coupled to the controller, and a radio signal receiving means coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver, a transponder interrogation station for interrogating the transponder by way of signals transmitted to, and received from, the radio transceiver, and a source of switching signals receivable by the signal receiving means when in range (figure 1, column 2 line 36 to column 3 line 26 and column 6 lines 9-10).

Regarding claim 7, ROTZOLL discloses a transponder for use in an interrogation system, the transponder including a controller for controlling the operation of the transponder, a radio transceiver coupled to the controller by way of switching means, an

electric current source coupled to the controller, and a radio signal receiving means coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver (figure 1, column 2 line 36 to column 3 line 26 and column 6 lines 9-10).

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by KATAYAMA (US 5,113,184 A).

Regarding claim 1, KATAYAMA discloses a signaling system comprising a transponder (2) including a controller (11) for controlling the operation of the transponder, a radio transceiver (5) coupled to the controller by way of switching means (10), an electric current source (from 8) coupled to the controller, and a radio signal receiving means (15/9) coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver, a transponder interrogation station (1) for interrogating the transponder by way of signals transmitted to, and received from, the radio transceiver, and a source of switching signals receivable by the signal receiving means when in range (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 2, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the transponder further comprises at least one transducer (13/8) coupled to the controller and a random access memory (in 11) for storing data representative of information produced by the transponder (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 3, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that that the transponder interrogation station has storage means (in 6) for storing said data relayed by the transponder in response to an interrogation signal (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 4, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the radio receiving means comprises a passive radio receiver and in that the source of switching signals comprises a radio transmitter for communicating with the passive radio receiver (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 5, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the transponder interrogation station and the source of switching signals operate at different frequencies (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 6, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the transponder interrogation station and the source of switching signals operate at different frequencies (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 7, KATAYAMA discloses a transponder (2) for use in an interrogation system, the transponder including a controller (11) for controlling the operation of the transponder, a radio transceiver (5) coupled to the controller by way of switching means (10), an electric current source (from 8) coupled to the controller, and

a radio signal receiving means coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 8, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the transponder further comprises at least one transducer (13/8) coupled to the controller and a random access memory (in 11) for storing data representative of information produced by the transponder (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 9, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that that the transponder interrogation station has storage means (in 6) for storing said data relayed by the transponder in response to an interrogation signal (figure 1, column 3 line 6 to column 4 line 7).

Regarding claim 10, see the rejection of the parent claim concerning the subject matter this claims depends from. KATAYAMA further discloses that the radio receiving means comprises a passive radio receiver (figure 1, column 3 line 6 to column 4 line 7).

4. Claims 1, 2, 4-8 and10 are rejected under 35 U.S.C. 102(b) as being anticipated by URBAS et al (US 5,532,686 A).

Regarding claim 1, URBAS et al discloses a signaling system comprising a transponder (10 of figure 1) including a controller (functions of 30, 32, and 22 of figure 1) for controlling the operation of the transponder, a radio transceiver (20 of figure 1) coupled to the controller by way of switching means (14 functions as a switching means

as does 32), an electric current source (14 of figure 1) coupled to the controller, and a radio signal receiving means (12 and 14 of figure 1) coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver, a transponder interrogation station for interrogating the transponder by way of signals transmitted to, and received from, the radio transceiver, and a source of switching signals receivable by the signal receiving means when in range (see column 2 line 55 to column 4 line 20).

Regarding claim 2, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the transponder further comprises at least one transducer (12 of figure 1) coupled to the controller and a random access memory (70 of figure 4) for storing data representative of information produced by the transponder.

Regarding claim 4, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the radio receiving means comprises a passive radio receiver and in that the source of switching signals comprises a radio transmitter for communicating with the passive radio receiver (see column 2 line 55 to column 4 line 20).

Regarding claim 5, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the transponder interrogation station and the source of switching signals operate at different frequencies (see column 2 line 55 to column 4 line 20).

Regarding claim 6, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the transponder interrogation station and the source of switching signals operate at different frequencies (see column 2 line 55 to column 4 line 20).

Regarding claim 7, URBAS et al discloses a transponder (10 of figure 1) for use in an interrogation system, the transponder including a controller (functions of 30, 32, and 22 of figure 1) for controlling the operation of the transponder, a radio transceiver (20 of figure 1) coupled to the controller by way of switching means (14 functions as a switching means as does 32), an electric current source (14 of figure 1) coupled to the controller, and a radio signal receiving means (12 and 14 of figure 1) coupled to the controller for providing signals for activating the switching means to inhibit or permit the operation of the radio transceiver (see column 2 line 55 to column 4 line 20).

Regarding claim 8, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the transponder further comprises at least one transducer (12 of figure 1) coupled to the controller and a random access memory (70 of figure 4) for storing data representative of information produced by the transponder.

Regarding claim 10, see the rejection of the parent claim concerning the subject matter this claims depends from. URBAS et al further discloses that the radio receiving means comprises a passive radio receiver (see column 2 line 55 to column 4 line 20).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over URBAS et al (US 5,532,686 A) in view of DENNE et al (US 4,114,151 A).

Regarding claim 3, see the rejection of the parent claim concerning the subject matter this claims depends from. However, URBAS et al doesn't explicitly disclose that the transponder interrogation station has storage means for storing said data relayed by the transponder in response to an interrogation signal. DENNE et al discloses that the transponder interrogation station has storage means (see the "receiver holding register" in figure 3) for storing said data relayed by the transponder in response to an interrogation signal. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the transponder interrogation station have storage means for storing said data relayed by the transponder in response to an interrogation signal. This allows the information to be accessed at a latter time and/or displayed.

Regarding claim 9, see the rejection of the parent claim concerning the subject matter this claims depends from. However, URBAS et al doesn't explicitly disclose that the transponder interrogation station has storage means for storing said data relayed by the transponder in response to an interrogation signal. DENNE et al discloses that the

transponder interrogation station has storage means (see the "receiver holding register" in figure 3) for storing said data relayed by the transponder in response to an interrogation signal. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the transponder interrogation station have storage means for storing said data relayed by the transponder in response to an interrogation signal. This allows the information to be accessed at a latter time and/or displayed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

GELNOVATCH et al (US H1606 A)

BEIGEL et al (US 5,235,326 A)

EINFELDT et al (US 6,049,292 A)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino
Examiner
Art Unit 2682

RP

VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600
6/14/04